

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE  
COMMISSION  
Plaintiff**

**CASE NO. 12 Civ. 6421. 6421**

**v.**

**EDWARD BRONSON, E-LIONHEART  
ASSOCIATES LLC b/b/a FAIRHILLS CAPITAL  
Defendants**

**And**

**FAIRHILLS CAPITAL, LLC  
Relief Defendant**

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**PRO SE MOTION TO APPEAR AT HEARING VIA REMOTE  
ELECTRONIC VIDEO.**

COMES NOW, Mark E. Pena pro se, and moves this Honorable court for an Order allowing him to appear at the December 12, 2022 Motion for Contempt Hearing in this matter via remote electronic video (ZOOM) and in support would state:

1. In July of 2021, the undersigned was diagnosed with congestive heart failure by his cardiologist.
2. Since that time, I have been on a medicine, including seven pills daily, and dietary and exercise regime in an attempt to avoid another cardiac event.

3. I suffer from extreme loss of breath and can barely walk ten feet before having to stop and recuperate.

4. All forms of travel are a hardship and can cause a cardiac event due to the stress placed on my heart.

5. I have been called as a witness to testify regarding this matter and I am not a party.

6. Whatever testimony I can give can just as easily be made via remote video live stream third party.

7. Allowing me to appear remotely causes no party any prejudice.

8. Counsel for the Securities & Exchange Commission has been made aware of my motion and has no objection to it as neither does counsel for the Defendant.

9. I am a practicing attorney but am not representing anyone as an attorney in this matter and am not licensed before the Southern District of New York

WHEREFORE, I would respectfully request that this Honorable Court Grant my motion and

allow me to appear and testify via remote electronic means.

Respectfully Submitted,

/s/ Mark E. Pena

Pro Se

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished via electronic mail to Plaintiff at [Kingmp@sec.gov](mailto:Kingmp@sec.gov) and to the Defendant at Paul Rachmuth [paul@paresq.com](mailto:paul@paresq.com) on this 16th day of November, 2022.

/s/ Mark E. Pena

MARK E. PENA, ESQUIRE